

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

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|-----------------|---|-----------------------------|
| HANSEL E. CAIN, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| V. |) | Civil No. 08-678-JPG |
| |) | |
| W.A. SHERROD, |) | |
| |) | |
| Respondent. |) | |

ORDER

PROUD, Magistrate Judge:

Before the Court is petitioner's "Request for Filing Charges," whereby he requests that charges be lodged against the Federal Bureau of Prisons for allegedly failing to accurately calculate petitioner's sentence and for maintaining inaccurate records. Petitioner explains that he presents this request to the Court because the U.S. Attorney's Office is opposing counsel in the above-captioned habeas corpus action cannot be trusted to police a fellow government agency.

(Doc. 16).

The Court is powerless to assist petitioner. Public prosecutions are the prerogative of the Attorney General and United States Attorneys. *See generally U.S. v. Nixon*, 418 U.S. 683, 693 (1974); *Confiscation Cases*, 74 U.S. 454, 457 (1868). Moreover, the Attorney General and U.S. Attorney for the Southern District of Illinois have historically demonstrated their willingness to prosecute wrongdoing within the executive branch, including the Department of Justice and its many agencies.

IT IS THEREFORE ORDERED that the subject motion (**Doc. 16**) is **DENIED**.

IT IS SO ORDERED.

DATED: August 6, 2009

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE